

AMENDED IN ASSEMBLY SEPTEMBER 2, 2011

**SENATE BILL**

**No. 202**

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**Introduced by Senator Hancock**

February 8, 2011

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An act to amend Section 9001 of the Elections Code, relating to ballot initiatives.

LEGISLATIVE COUNSEL'S DIGEST

SB 202, as amended, Hancock. Ballot initiatives: filing fees.

Existing law requires a fee of \$200 to be paid by the proponents when a proposed ballot initiative or referendum is submitted to the Attorney General for preparation of a circulating title and summary.

This bill would find that the current \$200 fee is inadequate to cover the costs to the state to process a proposed initiative and would increase the filing fee from \$200 to \$2,000.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. The Legislature finds and declares all of the
- 2 following:
- 3 (1) That the current two-hundred-dollar (\$200) fee imposed for
- 4 filing a proposed ballot initiative with the Attorney General is
- 5 inadequate to cover the administrative costs to the state to process
- 6 the proposed initiative.
- 7 (2) Originally set in 1943, the \$200 fee was intended to cover
- 8 the administrative costs of the initiative process to the state.

1 (3) According to the Consumer Price Index, the value of the  
2 \$200 in 1943 corresponds to approximately \$2,480 today.

3 ~~(4) From 2000-2009, 647 initiative proposals were submitted~~  
4 ~~for preparation of a title and summary; in contrast, 1990-1999 saw~~  
5 ~~only 391 measures filed. That is a 60% increase this decade over~~  
6 ~~the previous one and more measures were submitted from~~  
7 ~~2000-2009 than during the 74 year period from 1912 to 1986.~~

8 SEC. 2. Section 9001 of the Elections Code is amended to read:

9 9001. (a) Prior to the circulation of any initiative or referendum  
10 petition for signatures, the text of the proposed measure shall be  
11 submitted to the Attorney General with a written request that a  
12 circulating title and summary of the chief purpose and points of  
13 the proposed measure be prepared. The electors presenting the  
14 request shall be known as the “proponents.” The Attorney General  
15 shall preserve the written request until after the next general  
16 election.

17 (b) Each and every proponent of any proposed initiative measure  
18 shall, at the time of submitting the text of the proposed measure,  
19 provide both of the following:

20 (1) An original signed certification stating that “I, (insert name),  
21 declare under penalty of perjury that I am a citizen of the United  
22 States, 18 years of age or older, and a resident of (insert county),  
23 California.”

24 (2) Public contact information.

25 (c) The proponents of any initiative measure, at the time of  
26 submitting the text of the proposed measure to the Attorney  
27 General, shall pay a fee to the Attorney General of two thousand  
28 dollars (\$2,000), which shall be placed in a trust fund in the office  
29 of the Treasurer and refunded to the proponents if the measure  
30 qualifies for the ballot within two years from the date the summary  
31 is furnished to the proponents. If the measure does not qualify  
32 within that period, the fee shall be immediately paid into the  
33 General Fund of the state.

34 (d) All referenda and proposed initiative measures must be  
35 submitted to the Attorney General’s Initiative Coordinator located  
36 in the Sacramento Attorney General’s Office via U.S. Postal  
37 Service, alternative mail service, or personal delivery. Only printed  
38 documents will be accepted, facsimile or e-mail delivery will not  
39 be accepted.

1 (e) The Attorney General's office shall not deem a request for  
2 a circulating title and summary submitted until all of the  
3 requirements of this section are met.

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